

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 05-85572

LAURA ANNE ODEN RICHARDS, *pro se*,

Chapter 13

Debtor.

Judge Thomas J. Tucker

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**ORDER DENYING DEBTOR'S MOTION TO "NOT APPROVE"  
REAFFIRMATION AGREEMENT BETWEEN DEBTOR AND ROUGE FEDERAL  
EMPLOYEES CREDIT UNION (DOCKET # 42)**

This case is before the Court on an amended motion Debtor filed on March 13, 2009 entitled, "Pleading Motion to Honorable Judge Tucker, Jr." (Docket # 42, the "Motion"). It appears that in the Motion, Debtor is requesting that the Court *not* approve a reaffirmation between Debtor and Rouge Federal Employees Credit Union, which Debtor says she did not sign, and which was never filed with the Court. The Court will deny this motion for several reasons.

First, the Motion is not necessary. Under 11 U.S.C. § 524(c)(1), a reaffirmation agreement is not enforceable unless it "was made before the granting of the discharge under section 727." On January 19, 2006, the Court entered an order granting Debtor a discharge under 11 U.S.C. § 727 (Docket # 16). Therefore, unless the parties made a reaffirmation agreement before January 19, 2006, it is much too late for there to be an enforceable reaffirmation agreement between this Debtor and Rouge Federal Employees Credit Union. Furthermore, under 11 U.S.C. § 524(c)(3), a reaffirmation agreement that is not filed with the Court is not enforceable for that reason alone. There is no indication that any signed reaffirmation agreement between the Debtor and Rouge Federal Employees Credit Union has been filed in this case.

Second, Debtor failed to comply with the Court's May 22, 2009 "Order Requiring Debtor to File a Proper Notice of Motion, Proposed Order and Certificate of Service" (Docket # 48). The notice Debtor filed (Docket # 49) does not adequately give notice of the Motion and the relief she seeks (disapproval of the apparently non-existent reaffirmation agreement).

For these reasons,

IT IS ORDERED that the Debtor's Motion (Docket # 42), is DENIED.

This bankruptcy case will now be closed.

**Signed on June 09, 2009**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**